

Paper No.: ____

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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Title: CALCIUM PHOSPHATE COATED IMPLANTABLE MEDICAL DEVICES
AND PROCESSES FOR MAKING SAME

Serial No.: 10/527406 Confirmation No.: 4838

Filed: 12 September 2003

Examiner: Suezu Ellis Art Unit: 1615

Date: 7 March 2008

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO RESTRICTION AND ELECTION REQUIREMENTS

In response to the Office Action dated 13 February 2008, the Applicants elect the claims identified as Group I, claims 1-15. Accordingly, claims 16-36 have been cancelled without prejudice. Applicants reserve the right to pursue the cancelled subject matter in one or more continuation or divisional applications.

The Examiner has also issued an election requirement (pages 3-4) in which the following species were identified:

- Species 1: Depositing a calcium phosphate coating on the substrate utilizing a biomimetic deposition process (claim 27, step (b))
- Species 2: Depositing a calcium phosphate coating on the substrate utilizing a calcium phosphate cement deposition process (claim 27, step (c))
- Species 3: Depositing a calcium phosphate coating on the substrate utilizing an electrophoretic deposition process (claim 27, step (d))

Species 4: Depositing a calcium phosphate coating on the substrate utilizing an electrochemical deposition process (claim 27, step (e))

In response to the species requirement, Applicants elect species 4, i.e., electrochemical deposition. New claims 38 and 54 specifically read on this species. Claims 1-5, 7-9, 11-13, 37, 44-53, and 59 are generic.

AMENDMENT

Please amend this application as follows:

- Amendments to the Claims begin on page 4 of this paper.
- Remarks/Arguments begin on page 9 of this paper.